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**FROM: Martin Fleit**

**REFERENCE: 10/728,069**

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**MESSAGE:**

**PLEASE DELIVER THE FOLLOWING COMMUNICATION CONCERNING THE BELOW  
IDENTIFIED CASE**

**In re application of: Lucio FRYDMAN**

**Confirmation No.: 7958**

**Application No.: 10/728,069**

**Group Art Unit: 2859**

**Filed: December 4, 2003**

**Examiner: Shrivastav, Brij B.**

**For: METHOD AND APPARATUS FOR ACQUIRING  
MULTIDIMENSIONAL SPECTRA AND IMPROVED  
UNIDIMENSIONAL SPECTRA WITHIN SINGLE  
SCAN**

**Attorney Docket No: 7040-X03-066**

**1. ELECTION REQUIREMENT.**

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PATENT

Confirmation No. 7958  
Attorney Docket: 7040-X03-066

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appn. of: Lucio FRYDMAN

Group Art Unit: 2859

Appn. No.: 10/728,069

Examiner: Shrivastav, Brij B.

Filed: December 4, 2003

For: METHOD AND APPARATUS FOR ACQUIRING MULTIDIMENSIONAL  
SPECTRA AND IMPROVED UNIDIMENSIONAL SPECTRA WITHIN  
SINGLE SCAN

Customer No. 27317

ELECTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Office Action mailed October 8, 2004 requiring Applicant to elect a single species for further prosecution, Applicant hereby elects the species of the invention described in the specification from page 3, line 12 to page 4, line 20 and from page 10, line 2 (from the bottom) to page 37, line 19 and from page 44, line 25 to page 50, line 7 and illustrated in Figures 1 to 17 of the drawings. The claims reading on the species are claims 1 to 30 and claims 41 to 70. Notwithstanding the comment in the Office Action to the contrary, at least claims 1 and 41 are generic.

It is respectfully noted that the listing of species in the Office Action was incomplete. The listing included only methods that were subordinate to the principal expression of the invention (species) that is described on the pages of the specification as indicated above, and that is illustrated in Figures 1 to 17 of the drawings. Kindly note the clear statement on page 5, line 5 that the listed 12 methods or categories are "subordinate methods of the present invention", not

equal expressions of the present invention as the above-noted description and illustration.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time, time sufficient, to effect a timely response, and shortages in this or other fees, be charged, or any overpayment in fees be credited, to the Deposit Account of the undersigned, Account No. 500601 (Docket No. 7040-X03-066).

Respectfully submitted,



Martin Fleit, Reg. #16,900

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